

# House File 591 - Enrolled

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HOUSE FILE 591

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1 3 AN ACT  
1 4 RELATING TO STATE DEPARTMENT OF TRANSPORTATION DUTIES  
1 5 CONCERNING ITS BUDGET, DISTRIBUTION OF STATE INSTITUTIONAL  
1 6 ROAD FUNDS, VEHICLE WEIGHT AND LENGTH RESTRICTIONS,  
1 7 ALL-TERRAIN VEHICLE USE, EVIDENCE OF INTERSTATE AUTHORITY  
1 8 AND PENALTIES, AND PROVIDING AN EFFECTIVE DATE.  
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1 10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 12 Section 1. Section 307.10, subsection 5, Code 2005, is  
1 13 amended by striking the subsection.  
1 14 Sec. 2. Section 307.22, subsection 5, Code 2005, is  
1 15 amended by striking the subsection.  
1 16 Sec. 3. Section 307A.2, subsection 11, Code 2005, is  
1 17 amended to read as follows:  
1 18 11. Construct, reconstruct, improve, and maintain state  
1 19 institutional roads and state park roads, which are part of  
1 20 the state park, state institution, and other state land road  
1 21 system as defined in section 306.3, and bridges on such roads,  
1 22 roads located on state fairgrounds as defined in chapter 173,  
1 23 and the roads and bridges located on community college  
1 24 property as defined in chapter 260C, upon the request of the  
1 25 state board, department, or commission which has jurisdiction  
1 26 over such roads. This shall be done in such manner as may be  
1 27 agreed upon by the state transportation commission and the  
1 28 state board, department, or commission which has jurisdiction.  
1 29 The commission may contract with any county or municipality  
1 30 for the construction, reconstruction, improvement, or  
1 31 maintenance of such roads and bridges. Any state park road  
1 32 which is an extension of either a primary or secondary highway  
1 33 which both enters and exits from a state park at separate  
1 34 points shall be constructed, reconstructed, improved, and  
1 35 maintained as provided in section 306.4. Funds allocated from  
2 1 the road use tax fund for the purposes of this subsection  
2 2 shall be apportioned in the ~~ratio that the needs of the state~~  
~~2 3 institutional roads and bridges, park roads and bridges, or~~  
~~2 4 community college roads and bridges bear to the total needs of~~  
~~2 5 these facilities based upon the most recent quadrennial park~~  
~~2 6 and institution need study. following manner and amounts:~~  
2 7 a. For department of natural resources facility roads,  
2 8 forty-five and one-half percent.  
2 9 b. For department of human services facility roads, six  
2 10 and one-half percent.  
2 11 c. For department of corrections facility roads, five and  
2 12 one-half percent.  
2 13 d. For national guard facility roads, four percent.  
2 14 e. For state board of regents facility roads, thirty  
2 15 percent.  
2 16 f. For state fair board facility roads, two percent.  
2 17 g. For department of administrative services facility  
2 18 roads, one-half percent.  
2 19 h. For department of education facility roads, six  
2 20 percent.  
2 21 Sec. 4. Section 321.1, subsection 88, Code 2005, is  
2 22 amended to read as follows:  
2 23 88. "Truck tractor" means every motor vehicle designed and  
2 24 used primarily for drawing other vehicles and not so  
2 25 constructed as to carry a load other than a part of the weight  
2 26 of the vehicle and load so drawn. However, a truck tractor  
2 27 may have a box, deck, or plate for carrying freight, mounted  
2 28 on the frame behind the cab, and forward of the fifth-wheel  
2 29 connection point.  
2 30 Sec. 5. Section 321.463, subsection 5, paragraph a,  
2 31 unnumbered paragraph 1, Code 2005, is amended to read as  
2 32 follows:  
2 33 The maximum gross weight allowed to be carried on a vehicle  
2 34 or combination of vehicles on highways which are part of the  
2 35 ~~interstate~~ primary system is as follows:  
3 1 Sec. 6. Section 321.463, subsection 5, paragraph b,  
3 2 unnumbered paragraph 1, Code 2005, is amended to read as  
3 3 follows:  
3 4 The maximum gross weight allowed to be carried on a vehicle  
3 5 or combination of vehicles on ~~noninterstate~~ nonprimary

3 6 highways is as follows:

3 7 Sec. 7. Section 321.463, subsection 8, Code 2005, is  
3 8 amended to read as follows:

3 9 8. A vehicle or combination of vehicles transporting  
3 10 materials or equipment on nonprimary highways to or from a  
3 11 construction project or commercial plant site may operate  
3 12 under the maximum gross weight table for ~~interstate primary~~  
3 13 highways in subsection 5, paragraph "a", if the route is  
3 14 approved by the ~~department or~~ appropriate local authority.  
3 15 Route approval is not required if the vehicle or combination  
3 16 of vehicles transporting materials or equipment to or from a  
3 17 construction project or commercial plant site complies with  
3 18 the maximum gross weight table for noninterstate highways in  
3 19 subsection 5, paragraph "c".

3 20 Sec. 8. Section 321I.2, unnumbered paragraph 2, Code 2005,  
3 21 is amended by striking the unnumbered paragraph.

3 22 Sec. 9. Section 321I.10, Code 2005, is amended by adding  
3 23 the following new subsection:

3 24 NEW SUBSECTION. 5. The department of transportation may  
3 25 issue a permit to a state agency, a county, or a city to allow  
3 26 an all-terrain vehicle trail to cross a primary highway. The  
3 27 trail crossing shall be part of an all-terrain vehicle trail  
3 28 designated by the state agency, county, or city. A permit  
3 29 shall be issued only if the crossing can be accomplished in a  
3 30 safe manner and allows for adequate sight distance for both  
3 31 motorists and all-terrain vehicle operators. The department  
3 32 may adopt rules to administer this subsection.

3 33 Sec. 10. Section 327B.1, Code 2005, is amended by adding  
3 34 the following new subsections:

3 35 NEW SUBSECTION. 6. A motor carrier owner or driver shall  
4 1 carry proper evidence of interstate authority in the motor  
4 2 carrier and shall make such evidence available to a peace  
4 3 officer upon request.

4 4 NEW SUBSECTION. 7. If a motor carrier owner or driver is  
4 5 cited for failure to have proper evidence of interstate  
4 6 authority, the owner or driver may produce such evidence to  
4 7 the clerk of court prior to the date of such person's court  
4 8 appearance as indicated on the citation, and the owner or  
4 9 driver shall not be convicted of such violation and the  
4 10 citation issued shall be dismissed.

4 11 Sec. 11. Section 327B.5, Code 2005, is amended to read as  
4 12 follows:

4 13 327B.5 PENALTY.

4 14 Any person violating the provisions of this chapter shall,  
4 15 upon conviction, be subject to a scheduled fine of not more  
~~4 16 than one hundred dollars or imprisonment in the county jail~~  
~~4 17 for not more than thirty days as provided in section 805.8A.~~  
4 18 subsection 13, paragraphs "f" and "g".

4 19 Sec. 12. CODE EDITOR DIRECTIVE. The Code editor shall  
4 20 correct the titles of the charts in section 321.463,  
4 21 subsection 5, paragraphs "a" and "b", to conform with the  
4 22 amendments to those provisions of section 321.463 as contained  
4 23 in this Act.

4 24 Sec. 13. EFFECTIVE DATE. The sections of this Act  
4 25 amending section 321.463, being deemed of immediate  
4 26 importance, take effect upon enactment.

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CHRISTOPHER C. RANTS  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

5 3 I hereby certify that this bill originated in the House and  
5 4 is known as House File 591, Eighty-first General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

5 10 Approved \_\_\_\_\_, 2005

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5 14 THOMAS J. VILSACK  
5 15 Governor